

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA

v.

LESTER BURDEN

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NO. 2:19-CR-87.11

ORDER

Magistrate Judge C. Clifford Shirley, Jr. filed a report and recommendation, recommending that the Court: (1) find that the plea hearing in this case could not be further delayed without serious harm to the interests of justice; (2) grant Defendant's motion to withdraw his not guilty plea to Count One of the Indictment; (3) accept Defendant's plea of guilty to the lesser included offense of Count One of the Indictment, that is, conspiracy to distribute methamphetamine in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(C); (4) adjudicate Defendant guilty of the charge set forth in the lesser included offense of Count One of the Indictment; and (5) find that Defendant shall remain in custody until sentencing in this matter. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [D. 274] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

(1) As set forth on the record, Defendant's plea hearing could not be further delayed without serious harm to the interests of justice;

(2) Defendant's motion to withdraw his not guilty plea to Count One of the Indictment is **GRANTED**;

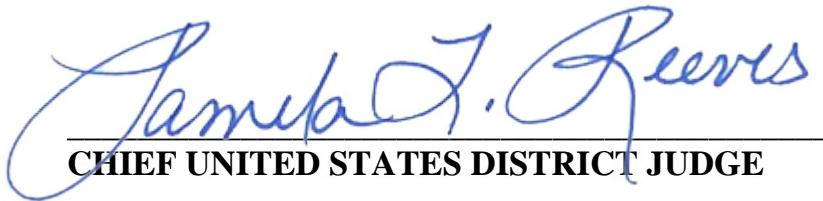
(3) Defendant's plea of guilty to the lesser included offense of Count One of the Indictment, that is, conspiracy to distribute methamphetamine in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(C), is **ACCEPTED**;

(4) Defendant is hereby **ADJUDGED** guilty of the lesser included offense of Count One of the Indictment;

(5) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **December 14, 2020 at 10:00 a.m. in Knoxville** before the Honorable Pamela L. Reeves, Chief United States District Judge.

SO ORDERED.

ENTER:



Pamela L. Reeves
CHIEF UNITED STATES DISTRICT JUDGE